

BOND SCHOENECK & KING

MEMO ENDORSED

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February 14, 2024

VIA ECF

Hon. Jessica G. L. Clarke
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: Worksite Inc. et. al. v. Steptoe and Johnson PLLC et. al.
23-CV-9221 (JGLC)

Dear Judge Clarke:

We represent Defendants in the above referenced action.

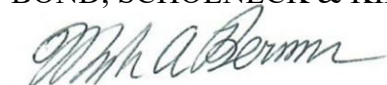
On January 25, 2024, Defendants filed a motion to dismiss Plaintiffs' Complaint, pursuant to Federal Rule of Procedure 12(b)(6), on the basis that Plaintiffs failed to allege the required elements of causes of action brought pursuant to the Computer Fraud and Abuse Act, Defend Trade Secrets Act, and common law conversion.

On February 8, 2024, Plaintiff cross-moved for leave to file an Amended Complaint with an attached Amended Complaint and filed opposition papers to Defendants' motion to dismiss. Plaintiffs provided their proposed amended pleading to counsel for Defendants more than ten days after Plaintiffs' receipt of Defendants' motion (and thereby violated Local Practice Rule 4.e). Nevertheless, after reviewing the Amended Complaint, pursuant to such rule, Defendants elect to file a new motion to dismiss against the Amended Complaint and will do so by February 23, 2024. We understand that Defendants' prior motion to dismiss and Plaintiffs' cross-motion for leave to amend thus will be denied as moot.

We appreciate the Court's understanding.

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC



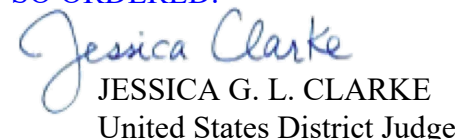
Mark A. Berman
Member

Application GRANTED. The Court sets the following briefing schedule for Defendants' motion to dismiss: (1) Defendants' moving brief is due on **March 4, 2024**; (2) Plaintiffs' opposition is due on **March 22, 2024**; (3) any reply brief is due by **March 29, 2024**. In light of Defendants' decision to file a new motion to dismiss against Plaintiffs' Amended Complaint, the Court GRANTS Plaintiffs' motion for leave to amend its Complaint. Defendants' pending motion to dismiss is hereby dismissed as moot. The Clerk of Court is respectfully directed to terminate the motions at ECF Nos. 14 and 23.

cc: Plaintiffs' counsel (by ecf)

Dated: February 15, 2024
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

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